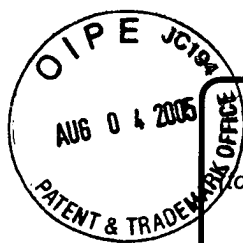


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|---|---|------------------------|-------------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) |   | Application No.        | 10/749,543        |
|   |   | Filing Date            | December 30, 2003 |
|   |   | First Named Inventor   | Frank Kilian      |
|   |   | Art Unit               | 2141              |
|   |   | Examiner Name          | Not Yet Assigned  |
| Total Number of Pages in This Submission  | 4 | Attorney Docket Number | 6570P012          |

| ENCLOSURES (check all that apply)   |   |  |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> PTO/SB/08<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Basic Filing Fee<br><input type="checkbox"/> Declaration/POA<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input checked="" type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><div style="border: 1px solid black; padding: 5px; margin-top: 10px;">         -Return Receipt Postcard (2)       </div> |
| Remarks   |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| Firm or Individual name                    | Thomas M. Coester, Reg. No. 39,637<br>BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP |
| Signature                                  | <i>Thomas Coester</i>  |
| Date                                       | August 2, 2005   |

| CERTIFICATE OF MAILING/TRANSMISSION   |                          |      |                |
|---|--------------------------|------|----------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |                          |      |                |
| Typed or printed name   | Susan M. Barrette        |      |                |
| Signature   | <i>Susan M. Barrette</i> | Date | August 2, 2005 |



Docket No.: 6570P012

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

FRANK KILIAN

Application No.: 10/749,543

Filed: December 30, 2003

For: **System and Method for Monitoring and  
Controlling Server Nodes Contained  
within A Clustered Environment**

Art Group: 2141

Examiner: Not Yet Assigned

**STATUS INQUIRY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The above-captioned application, an amendment thereto, or an Appeal Brief was filed more than 18 months ago and no substantive Office Action has issued to date. Please provide the current status of the application and an indication of when the next Action is expected to issue.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: August 02, 2005

Thomas M. Coester, Reg. No. 39,637

12400 Wilshire Boulevard, 7th Floor  
Los Angeles, CA 90025  
Telephone: (310) 207-3800

**CERTIFICATE OF MAILING/TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Susan M. Barrette

08/02/05

Date